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10/042,184	01/11/2002	Adamo Sala	07040.0117	3943

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EXAMINER

KNABLE, GEOFFREY L

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/042,184

Applicant(s)

SALA, ADAMO

Examiner

Geoffrey L. Knable

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 20-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 20-30 and 33-37 is/are rejected.
- 7) ☒ Claim(s) 31 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1-11-02; 4-11-02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by EP 468580 to Bierens.

EP '580 discloses a tire assembling apparatus including two drum halves (14, 15), radial movement devices (21, etc.), axial movement actuators (5-13), a holding member (25/26/39) defining a bead engagement seat and an axially internal supporting member (35/36) axially movable between a spaced and close positions (figs. 2; 3). This is therefore considered to suggest an apparatus consistent with claim 1.

4. Claims 1, 20-27, 29 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Rost (US 4,138,307).

Rost discloses a tire assembling apparatus including two drum halves each comprising plural sectors (12), radial movement devices (13), axial movement actuators (3, 4, etc.), a holding member (e.g. segment portions in vicinity of 21/22; note also 49/51) defining a bead engagement seat and an axially internal supporting member (e.g. one or more of segments 27 can be considered to be associated with each drum

half) axially movable between spaced and an abutting position (e.g. col. 6, lines 15-17).

This reference is therefore considered to anticipate claim 1. As to claim 20, it is noted that the supporting members are spaced apart from one another by an amount (e.g. space "30" in fig. 5) that would be smaller than the total stroke carried out by the halves to the abutting position. As to claims 21 and 22, note guide rod 23; further, the parts "34/35" in the top left of fig. 5 also would seem to read on the requirement of these claims. As to claim 23, note spring cartridges 28. As to claim 24, note spring on for example the parts "34/35" in the top left of fig. 5. As to claim 25, note guides 28 are angularly offset from one another (also col. 5, lines 19-25); further, note offset position of rods 23 and 38 in fig. 5. As to claim 26, the supporting members are translated by a thrust action between members. As to claim 27, the supporting members 27 together define what is considered a substantially continuous surface (esp. fig. 1). As to claim 29, the radially movable bladders and movement caused by "13" are considered to provide independently radially movable portions as claimed. As to claim 33, note turn-up means 19.

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rost (US 4,138,307) as applied above, and further in view of Kubinski et al. (US 4,010,058).

Rost effects radial movement using a bladder 13. It however is well known in this art to effect the analogous radial movement of tire building segments using axially moving means that effects radial movement through intermediate connecting rods - Kubinski et al. is exemplary (e.g. note links 40/80 and associated structure). Given that such is known to be suitable and effective to radially expand tire building drum segments,

to substitute such for the bladder expansion in Rost would have been an obvious alternative for only the expected results.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rost (US 4,138,307) as applied above, and further in view of Landsness (US 4,547,251).

To provide slots/projections for adjacent segments of the drum would have been obvious in view of Landsness, this patent providing evidence that it is known to provide such to enhance adjustability and tire support.

7. Claims 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rost (US 4,138,307) as applied above, and further in view of at least one of [Wilde et al. (US 4,131,500), Balle et al. (US 3,645,828) and Ruppel (US 4,362,592)].

Rost effects turnup using an inflatable bladder. In this art, however, it is a well known alternative to effect carcass turnup using hinged levers/arms consistent with the claimed structure - Wilde et al., Balle et al. and Ruppel are exemplary, it being further noted that Ruppel (esp. col. 1) provides evidence that the artisan understands that such levers may have advantages as compared to bladder turn-up. To use levers rather than a bladder to effect turnup would therefore have been an obvious alternative.

8. Claims 31 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Although Rost is considered to broadly suggest inner and outer movement halves as already noted, none of the closest prior art would teach or render obvious a tire building apparatus that includes each of the requirements of claim 20 with the

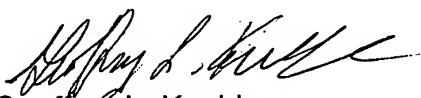
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additional requirement of claims 29/31 for the holding members each comprising selectively and independent movable axially inner and outer halves, this being effected by the specific first and second devices defined in claim 31.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Geoffrey L. Knable  
Primary Examiner  
Art Unit 1733

G. Knable  
June 25, 2005